

## **REMARKS**

The Office Action mailed August 5, 2008 has been received and the Examiner's comments carefully reviewed. Claims 19, 30 and 32-33 have been amended. Claims 19-36 are currently pending. Applicants respectfully submit that the pending claims are in condition for allowance.

### **Support for the Amendment**

Claims 19 and 32 have been amended to further specify that the inwardly extending ledge is located *axially* between the closed end and the threaded region. No new matter has been added. Support for this language can be found throughout the drawings and in the specification, most specifically at the fourth full paragraph on page 10, at the third full paragraph on page 15 and at the second full paragraph on page 16.

Claim 30 has been amended only to the extent required to incorporate the language of independent claim 19 and is now presented as an independent claim. Claim 30 previously depended directly from claim 19. In the Office Action, it was indicated that claim 30 would be allowable if rewritten in independent form. No new matter has been added.

Claim 33 has been amended to further specify that the step of inserting the filter cartridge and projection arrangement into the housing *includes snapping the projections over a radial protrusion in the housing*. No new matter has been added. Support for this language can be found throughout the drawings and in the specification, most specifically at the first full paragraph of page 13, at the third full paragraph of page 14, at the second full paragraph of page 18 and on the first paragraph on page 19 which starts on page 18.

### **35 USC 102(b) rejections to US Patent 5,490,930 to Krull**

In the Office Action, claims 19-21, 23, 26-29, 31, 33-34 and 36 are rejected under 35 USC 102(b) as being anticipated by Krull. The rejection is traversed.

Independent claims 19 and 32 specify a fluid filter arrangement comprising which has a housing, a filter cartridge and a projection arrangement. The housing, as specified, has an open end with a threaded region that is located adjacent to the open end. The housing is also specified to have an inwardly extending ledge that is circumferential and extends completely along the internal surface of the housing wall. The inwardly extending ledge is engaged by the projection

arrangement and is specified as being located axially between the closed end of the housing and the threaded region of the housing.

Independent Claim 33 is directed to a method of making a filter comprising the steps of inserting a filter cartridge and a projection arrangement into an open end of a housing and engaging projections on the projection arrangement against a portion of the housing to secure the filter cartridge in the housing wherein the portion of the housing including an inwardly extending circumferential ledge extends completely along an internal surface of the housing and wherein the engagement of the projection arrangement is against a side of the ledge directed to a closed end of the housing. Claim 33 further specifies that the step of inserting the filter cartridge and projection arrangement into the housing includes snapping the projections over a radial protrusion in the housing.

Krull is directed to a spin-on filter 10 having a canister 11 with an end wall 13. Secured to an open end of canister 11 is a baseplate assembly 14 which defines threaded opening 19. Above baseplate assembly 14 is end cover 16. Initially, side-wall 12 of canister 11 and end cover 16 have radially extending flanges, 30 and 31 respectively. After installation of the interior components, such as filter element 20, flanges 30 and 31 are circumferentially seamed together to interlock. Krull also discloses an embodiment where an end cap 51 having tabs 57 secures a filter element in canister 11. In this embodiment, the 57 are trapped between the baseplate 52 and portion 31A of the seamed flanges 30 and 31. Necessarily, flanges 30 and 31 and the portion of tabs 57 retained by portion 31A are located axially above both end wall 13, baseplate assembly 14, and threaded opening 19.

Claims 19 and 32 are not anticipated by Krull at least because Krull fails to disclose any embodiment in which an inwardly extending ledge in a housing is located axially between a closed end and a threaded region of the housing, as specified in claim 1. Instead, Krull only discloses an embodiment in which flanges 30 and 31 and portion 31A is above both closed end wall 13 and threaded opening 19 of housing or canister 11. More broadly stated, there is no embodiment disclosed in Krull in which flanges 30 and 31 could even be said to be between closed end 13 and threaded opening 19 in any direction. This is evidenced by the fact that threaded opening 19 is in closer proximity at every point, and in every dimension, to closed end 13 than are flanges 30 and 31. As such, there is no interpretation of Krull in which flanges 30 and 31 can be properly characterized as being between, axially or otherwise, threaded opening 19

and closed end 13. For at least the foregoing reasoning, claim 19 is not anticipated by Krull. Because claims 20-23, 26-29 and 31 ultimately depend from claim 19, they are novel over Krull for the same reasons stated in support of claim 19. Withdrawal of the rejection is requested.

Further, if one were to attempt to modify Krull such that flanges 30 and 31 were between threaded opening 19 and closed end 13, as would be required by claims 19 and 32, the primary teaching of Krull would be destroyed. Specifically, flanges 30 and 31 are designed to retain baseplate assembly 14 via portion 31A and end cover 16. As stated previously, threaded opening 19 is contained within baseplate assembly 14. If flanges 30 and 31 were repositioned to be below threaded opening 19 and above closed end 13, there would then be no mechanism to retain end cover 16 or baseplate 14, thereby rendering spin-on filter 10 inoperable. Also, Krull does not teach that such a modification would even be possible given that flanges 30 and 31 are formed from the top portion of sidewall 12 of canister 11. In other words, because portion 31A is formed by circumferentially seaming the flanges together, portion 31A cannot be located along endwall 12 at any other point than the top of canister 11. Lastly, because threaded opening 19 is not axially in line with flanges 30 and 31, there is no modification of Krull which would lead to a housing having an inwardly extending ledge that is located axially between a threaded region and a housing closed end, as specified in claim 19. For at least the foregoing reasoning, Krull provides no teaching, suggestion or motivation for one having ordinary skill in the art to modify Krull to arrive at the claimed invention, as specified in claims 19 and 32. Therefore, claims 19 and 32 are also unobvious over Krull. By extension, claims 20-23, 26-29 and 31 are patentable as well as they ultimately depend from claim 19.

Claim 33 is not anticipated by Krull at least because Krull fails to disclose any embodiment in which the step of inserting the filter cartridge and projection arrangement into the housing includes snapping the projections over a radial protrusion in the housing. Rather, tabs 57 of end cap 51 in Krull are simply inserted into canister 11 in the absence of any radial protrusion. This is so because flanges 30 and 31 are in a radially extended state at the time end cap 51 is inserted into canister 11. Only after the insertion of end cap 51 are flanges 30 and 31 circumferentially seamed together to form portion 31A which retains end cap 51. As such, there is no radial protrusion, or other surface, over which tabs 57 must snap over when inserting it into canister 11, as required by claim 33. Further, Krull contains no teaching, suggestion or motivation to make such a modification that would lead to the claimed invention. Specifically,

there would be no reason to modify Krull to have a radial protrusion over which tabs 57 would snap because they are already retained by portion 31A and by end cover 16. For at least the foregoing reasoning, claim 33 is neither anticipated nor rendered obvious by Krull. Because claims 34-36 ultimately depend from claim 33, they are likewise patentable over Krull. Withdrawal of the rejection is requested.

*35 USC 103(a) rejections over Krull*

In the Office Action, claims 22, 24-25, 32 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krull. The rejection is traversed. Claims 22 and 24-25 depend from claim 19 and are patentable over Krull for at least the reasons already stated in support of claim 19. Claim 32 is also patentable over Krull for at least the reasons previously stated. Claim 35 depends from claim 33 and is patentable over Krull for at least the same reasons already stated in support of claim 33. Withdrawal of the rejection is requested.

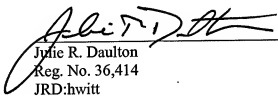
Further, claim 32 specifies a filter assembly having a filter arrangement and a filter head wherein the filter arrangement is releasably secured to the filter head. In contrast Krull only discloses a spin-on filter and completely fails disclose any embodiment having a filter head, let alone one that is releasably secured to the filter arrangement. The Office Action asserts that end cover 16, openings 53 and threaded opening 19 of Krull are the equivalent of the filter head having inlet and outlet ports specified in claim 32. However, these components are more properly characterized as being parts of the spin-on filter and not a filter head. This is so because spin-on filter 10 would be inoperable without these components were they instead part of a removable filter head. Further, in rejecting claim 19, the Office Action already characterizes threaded opening 19 as being the threaded region of the filter arrangement. This is a limitation that is present in claim 32 as well. Thus, it is improper to characterize threaded opening 19 as simultaneously being both the threaded region of the filter arrangement and inlet port of the filter head of claim 32. Stated in another way, threaded opening 19 cannot physically be a single component that is releasably secured to itself. For at least the foregoing reasoning, claim 32 is unobvious and patentable over Krull. Withdrawal of the rejection is requested.

SUMMARY

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,  
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